

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to my name;

We believe we are the ~~original, first and sole inventor (if only one name is listed below)~~ or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

'Methodology For Improving TCP Throughput Over Lossy Communication Links'

the specification of which (check one)

 is attached hereto.

X was filed on 11/22/00 as United States Application Number 09/718,679

or PCT International Application Number

and was amended on (if applicable)

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56.

We hereby claim foreign priority benefits under Title 35, United States Code, '119(a)-(d) or '365(b) of any foreign application(s) for patent or inventor's certificate, or '365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application, having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)
Priority Claimed

<u> </u> (Number)	<u> </u> (Country)	<u> </u> Yes <u> </u> No	<u> </u> (Day/Month/Year Filed)
<u> </u> (Number)	<u> </u> (Country)	<u> </u> Yes <u> </u> No	<u> </u> (Day/Month/Year Filed)
<u> </u> (Number)	<u> </u> (Country)	<u> </u> Yes <u> </u> No	<u> </u> (Day/Month/Year Filed)

We hereby claim the benefit under 35 U.S.C. '119(e) of any United States provisional application(s) listed below.

 (Application Number) (Filing Date)

 (Application Number) (Filing Date)

We hereby claim the benefit under 35 U.S.C. '120 of any United States Application(s), or '365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States, or PCT International application in the manner provided by the first paragraph of 35 U.S.C. '112, we acknowledge the duty to disclose information material to the patentability of this application as defined in 37 CFR '1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.) (Filing Date)
abandoned)

(Status) (patented, pending,

(Application Serial No.) (Filing Date)
abandoned)

(Status) (patented, pending,

We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As named inventors we hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number).

Manny W. Schecter (Reg. 31,722), Lauren Bruzzone (Reg. 35,082), Christopher A. Hughes (Reg. 26,914), Edward A. Pennington (Reg. 32,588), John E. Hoel (Reg. 26,279), Joseph C. Redmond, Jr. (Reg. 18,753), Douglas W. Cameron (Reg. 31,596), Louis P. Herzberg (Reg. 41,500), Stephen C. Kaufman (Reg. 29,551), Daniel P. Morris (Reg. 32,053), Paul J. Otterstedt (Reg. 37,411), Louis J. Percello (Reg. 33,206), David M. Shofi (Reg. 39,835), Robert M. Trepp (Reg. 25,933), Wayne L. Ellenbogen (Reg. 43,602) and Marian Underweiser (46,134)

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Full name of sole or first inventor:

Rajeev SHOREY

Inventor's Signature

R. Shorey

Date 13 November 2000.

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Citizenship

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Post Office Address

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Full name of second joint-inventor:

Abhay CHRUNGGOO

Inventor's Signature

Abhay Chrungoo

Date 20 November 2000

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Full name of third joint-inventor:

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Full name of fourth joint-inventor:

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Inventor's Signature  Date 13 Nov 2000

Residence B-76 Soami Nagar, New Delhi - 110 017, India

Citizenship Indian

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Rajeev Shorey, et al.
Serial No.: 09/718,679
Filed: November 22, 2000

Docket No. JP920000271US1
Group Art Unit:
Dated: April 9, 2001

For: A METHOD FOR GLOBAL BREAKPOINT IDENTIFICATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Attn: APPLICATION DIVISION, SPECIAL HANDLING UNIT

SUBMISSION OF DECLARATION

Sir:

Submitted herewith is a Declaration, properly signed by the Applicants referencing application Serial No. 09/718,679 as originally filed on November 22, 2000. Accordingly, the above-identified application is now complete.

Please charge Deposit Account No. 09-0468 in the amount of \$130.00 for the surcharge for filing the Declaration on a date later than the filing date of the application.

Respectfully submitted,

By *Stephen C. Kaufman*
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H-A

Sector 1/8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Rajeev Shorey, et al.

Serial No.: 09/718,679

Examiner:

Filed: November 22, 2000

Group Art: 2152

For: **METHODOLOGY FOR IMPROVING TCP THROUGHPUT OVER LOSSY
COMMUNICATION LINKS**

Assistant Commissioner for Patents
Washington, D. C. 20231

CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

I hereby certify that the attached correspondence comprising:

1. Acknowledgement Postcard
2. Submission of Declaration
3. Executed Declaration and Power of Attorney
4. Assignment to IBM with Recordation Form

is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

*Assistant Commissioner for Patents
Washington, D.C. 20231*

on April 9, 2001.

Kathy Cognatello

(Type or print name of person mailing paper)

Kathy Cognatello

(Signature of person mailing paper)

Docket No.: JP920000271US1